

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DARLENE KEMP,

Plaintiff,

Case No.: 3:15-cv-449

vs.

COMMISSIONER OF  
SOCIAL SECURITY,

District Judge Walter H. Rice  
Magistrate Judge Michael J. Newman

Defendant.

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**ORDER AND ENTRY: (1) GRANTING THE JOINT, UNOPPOSED MOTION FOR REMAND (DOC. 9); (2) REVERSING THE ALJ'S NON-DISABILITY FINDING; (3) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER ADMINISTRATIVE PROCEEDINGS; (4) DIRECTING THE CLERK TO ENTER JUDGMENT IN FAVOR OF PLAINTIFF; AND (5) TERMINATING THIS CASE ON THE COURT'S DOCKET**

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The parties in this Social Security disability benefits appeal jointly move for an Order remanding this case for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g), and for the entry of judgment pursuant to Fed. R. Civ. P. 58. Doc. 9. The parties state that, on remand, the Appeals Council will vacate all findings in the Administrative Law Judge's ("ALJ") decision, and the Commissioner will conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act. *Id.* Specifically, the ALJ will re-weigh the medical opinion evidence in accordance with the provisions of 20 C.F.R. §§ 404.1527(e), 416.927(e), and Social Security Ruling ("SSR") 96-6p; re-evaluate the intensity and persistence of Plaintiff's symptoms in accordance with SSR 16-3p; and issue a new decision. *Id.*

For good cause shown, and because the requirements of a Sentence Four remand have been satisfied, **IT IS ORDERED THAT:** (1) the parties' joint, unopposed motion for a Sentence

Four remand (doc. 9) is **GRANTED**; (2) the ALJ's non-disability finding is **REVERSED**; (3) this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for further proceedings; and (4) this case is **TERMINATED** upon the Court's docket. The Clerk is **ORDERED** to enter judgment in favor of Plaintiff.

**IT IS SO ORDERED.**

Date: 6-1-16

  
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Walter H. Rice  
United States District Judge